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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 7 of Security Council resolution 1147 (1998) of 13 January 1998, in which the Council requested me to report by 5 July 1998 on the situation in the Prevlaka peninsula and on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement that would peacefully resolve their differences.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya). The current mandate of the Mission expires on 15 July 1998.

3. In accordance with resolution 1147 (1998), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by carrying out vehicle and foot patrols on both sides of the border, except when prevented from doing so by restrictions of movement imposed by one party or the other. As part of its work, the Mission holds regular meetings with local authorities in order to help strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. The Chief Military Observer also maintains contacts with the authorities in Zagreb and Belgrade in order to address issues arising from resolution 1147 (1998). Cooperation between UNMOP and the multinational Stabilization Force is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

4. The area of responsibility of UNMOP consists of two United Nations-designated zones: a demilitarized zone and a United Nations-controlled zone. Both Croatia and the Federal Republic of Yugoslavia maintain their somewhat differing views on the exact delimitation of the two zones. Since the submission of my report of 30 December 1997 (S/1997/1019), the situation in the UNMOP area of responsibility has remained stable, despite the continuation of some long-standing violations of the demilitarization regime, including

restrictions of movement for the United Nations military observers and the presence of military elements.

5. The continuing presence of Yugoslav Army troops in the north-western part of the demilitarized zone is the most significant long-standing violation in that area. UNMOP assesses that the Yugoslav Army presence consists of approximately 130 to 150 personnel, but it is unable to ascertain the exact strength and armament of the troops because of restrictions of movement imposed by the Yugoslav authorities in the northern part of the demilitarized zone.

6. Long-standing violations of the United Nations-controlled zone continue as well, with the ongoing presence of approximately 25 to 30 Croatian special police, located at three positions and one checkpoint, and of approximately six Yugoslav (Montenegrin) border police, located at one position and one checkpoint.

7. In addition, the waters of the United Nations-controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats, as well as occasionally by Croatian police boats. Further, the Croatian authorities continue to grant civilians unauthorized access to the United Nations-controlled zone, close to the Prevlaka compound. The civilian presence grows appreciably during the summer months.

8. The violations referred to in the preceding paragraphs do not represent a significant threat to the demilitarization regime. In fact, there have been some improvements, especially on the Yugoslav side, in the observance of the regime. On the Montenegrin side of the border, the Yugoslav authorities removed restrictions on movement placed on UNMOP patrols to Ravni Brijeg in the northern part of the demilitarized zone. They have also partially lifted the restriction of movement to other parts of the northern demilitarized zone by requiring only a six-hour prior notification, down from the 72 hours that were required previously. However, a Yugoslav army liaison officer is still required to accompany UNMOP patrols. Throughout the reporting period, UNMOP has had complete access to all Montenegrin border police positions.

9. As regards freedom of movement of United Nations military observers elsewhere in the UNMOP area of responsibility, Croatia continues to deny them routine access to positions in the northern part of the demilitarized zone and to several positions in the southern part as well.

10. UNMOP has continued to appeal to the Croatian and Yugoslav authorities to improve their compliance with the demilitarization regime, in particular by removing the restrictions on movement of United Nations military observers, and to continue with the demining effort that began last November and December with the demining of limited areas inside the United Nations-controlled zone.

11. In April, the Yugoslav authorities indicated to UNMOP that they would conduct a mine-sweeping operation in two phases along the border with Croatia. The first phase was to start in early spring. However, to date, the operation has not commenced.

III. PROGRESS TOWARDS A SETTLEMENT

12. Over the last six months, the parties have continued to indicate, in their contacts with United Nations officials and in public statements, that they are willing to settle the Prevlaka dispute through bilateral negotiations pursuant to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed at Belgrade on 23 August 1996 (S/1996/706, annex). Both have also informed UNMOP that special expert groups have been constituted in each country to deal specifically with the Prevlaka dispute and related border issues.

13. On 15 June, the Government of Croatia presented a proposal to the Federal Republic of Yugoslavia on a final resolution of the Prevlaka dispute, which has also been conveyed to the Security Council (S/1998/533, annex). The Federal Republic of Yugoslavia has, at the time of the writing of this report, not officially reacted to that proposal.

IV. FINANCIAL ASPECTS

14. Although an independent Mission, for administrative and budgetary purposes, the United Nations Mission of Observers in Prevlaka is treated as part of the United Nations Mission in Bosnia and Herzegovina. Consequently, the costs of maintaining the United Nations Mission of Observers in Prevlaka for the period from 1 July 1998 to 30 June 1999, amounting to $190,921,200 gross ($181,030,800 net), have been included in my report on the financing of the United Nations Mission in Bosnia and Herzegovina for the same period (A/52/786).

15. Should the Security Council decide to extend the mandate of United Nations Mission of Observers in Prevlaka beyond 15 July 1998, as recommended in paragraph 19 below, the costs of maintaining the Mission would be met from within the budget of the United Nations Mission in Bosnia and Herzegovina.

V. OBSERVATIONS

16. In the current reporting period, the stability in the UNMOP area of responsibility has not been disrupted by any serious incidents. However, there are also no signs that both parties will cease the continuing violations of the demilitarization regime in the two United Nations-designated zones. These violations do not threaten stability in the UNMOP area of responsibility; however, together with the continuing differences on the exact delimitation of the two United Nations-designated zones, they constitute a constant irritant in the relations between UNMOP and the local authorities, which should be halted.

17. In this situation, UNMOP assists in resolving disputes that could potentially lead to a rise in tension. As the military threat in the area has decreased, UNMOP has experienced an increase in difficulties of a civilian nature, such as claims by local landowners and fishermen to make commercial use of parts of the United Nations-controlled zone. UNMOP has avoided any steps that would prejudge the outcome of bilateral political negotiations on the Prevlaka dispute, in accordance with the commitment by both parties in the

Agreement on Normalization of Relations to respect the existing security regime established through United Nations monitoring until mutual agreement on Prevlaka is reached. Thus, UNMOP has been a stabilizing factor in the Prevlaka area and I appeal to both parties to provide the Mission with their full cooperation in the implementation of its mandate.

18. As regards political aspects, the parties have continued to indicate, in their contacts with UNMOP, that they retain their divergent interpretations of the Prevlaka dispute. For Croatia, it is a security issue, whereas the Federal Republic of Yugoslavia regards it as a territorial issue. No doubt, the persistence of these divergent interpretations presents an obstacle to a final resolution of the dispute. However, both parties have continued to reiterate their firm commitment to a negotiated resolution of the disputed issue of Prevlaka, in accordance with the Agreement on Normalization of Relations.

19. For the first time, a formal proposal for the settlement of the disputed issue of Prevlaka has been presented (see para. 13). It is to be hoped that this proposal will provide a much-needed impetus for the start of negotiations, and I urge Croatia and the Federal Republic of Yugoslavia to engage in substantive talks towards the resolution of the dispute. Meanwhile, since UNMOP plays an essential role in maintaining conditions conducive to negotiations, I recommend a further six-month extension of the UNMOP mandate until 15 January 1999.

20. In conclusion, I would like to commend the Chief Military Observer and the men and women of UNMOP for having carried out their important tasks in a conscientious and effective manner.

Annex

Composition and strength of the military elements of the United Nations Mission of Observers in Prevlaka as at 26 June 1998

Nationality	Number of military observers
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Egypt	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	2
Nepal	1
New Zealand	1
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	28